

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VERONICA FADKE,
a/k/a VERONICA DANON,

Plaintiff,

vs.

NORTH STAR CAPITAL
ACQUISITIONS, LLC,

Defendant.

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8:09CV35

ORDER

This matter is before the court *sua sponte*, pursuant to [NECivR](#) 41.1, which states in pertinent part: “The court may at any time dismiss an action for lack of prosecution when it appears it is not being prosecuted with reasonable diligence.” The record reveals the complaint was filed on January 25, 2009, and service of the summons was executed on the defendant on February 11, 2009. See [Filing No. 1](#) - Complaint; [Filing No. 5](#) - Summons Returned. No other action has taken place in this matter. It remains the plaintiff’s duty to go forward in prosecuting the case by, for example, filing a motion for the Clerk’s entry of default pursuant to [Fed. R. Civ. P. 55](#) and [NECivR](#) 55.1(a). Upon consideration,

IT IS ORDERED:

The plaintiff has until the close of business **on April 8, 2009**, to file a motion for Clerk’s entry of default or show cause why this case should not be dismissed for failure to prosecute the defendant.

Dated this 26th day of March, 2009.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge